

Appl. No. 10/074,881
 Armdt. dated 08/24/04
 Reply to Office Action of 02/24/2004

Attorney Docket No.: N1085-90058

RECEIVED
CENTRAL FAX CENTER
AUG 24 2004

FEE ONLY

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jiann-Tyng Tseng

Examiner: Brock II, Paul E

Serial No.: 10/074,881

Group Art Unit: 2815

Filed: 02/12/2004

Confirmation No.: 6517

For: A NOVEL METHOD TO MONITOR PROCESS CHARGING EFFECT

I hereby certify that this document (and any documents referred to therein) are being sent by facsimile to (703) 872-9306 addressed to the following

Examiner Paul E. Brock, II
 Mail Stop RCE
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Date: August 24, 2004

 Maria E. Provencio

Examiner Paul E. Brock, II
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION DATED 02/24/2004

Sir:

Responsive to the final Office Action dated 02/24/2004 and the telephonic interview with Examiner Paul Brock on August 19, 2004, please reconsider the above-identified application according to the amendments and comments provided.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

BEST AVAILABLE COPY

SDW8893.1

Page 1 of 26

PAGE 4/31 *RCVD AT 8/24/2004 6:06:51 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-1/0 *DNI:8729306 *CSID:6197442201 *DURATION (mm:ss) 0:25

09/02/2004 CPARIS 00000007 041679 10074881

01 FC:1201 172.00 DA

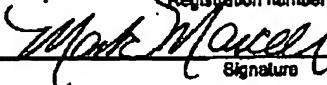
 09/08/2004 CPARIS 00000004 041679 10074881
 01 FC:1201 86.00

Fee Only

PTO/SB/22 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) N1065-90059																							
Application Number 10/074,881		Filed February 12, 2004																							
For A NOVEL METHOD TO MONITOR PROCESS CHARGING EFFECT																									
Art Unit 2815	Examiner Paul E. Brock, II																								
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Fee</th> <th style="text-align: center;">Small Entity Fee</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$110</td> <td style="text-align: center;">\$55</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$420</td> <td style="text-align: center;">\$210</td> <td>\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$850</td> <td style="text-align: center;">\$475</td> <td style="text-align: center;">\$ 850.00</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1480</td> <td style="text-align: center;">\$740</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2010</td> <td style="text-align: center;">\$1005</td> <td>\$ _____</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 04-1679. I have enclosed a duplicate copy of this sheet.</p>				Fee	Small Entity Fee	<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110	\$55	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$420	\$210	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$850	\$475	\$ 850.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1480	\$740	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2010	\$1005	\$ _____
	Fee	Small Entity Fee																							
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110	\$55	\$ _____																						
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$420	\$210	\$ _____																						
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$850	\$475	\$ 850.00																						
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1480	\$740	\$ _____																						
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2010	\$1005	\$ _____																						
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).</p> <p><input type="checkbox"/> attorney or agent of record. Registration Number _____</p> <p><input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 38,683</p>																									
 Signature		24 August 2004																							
Mark J. Marcelli Typed or printed name		Data 619-744-2243 Telephone Number																							

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9799 and select option 2.

PAGE 30/31 * RCVD AT 8/24/2004 6:06:51 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:6197442201 * DURATION (mm:ss):10:22

BEST AVAILABLE COPY

Fee Only

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Jiann-Tyng Tseng) Examiner: Brock II, Paul E
For: A NOVEL METHOD TO)
MONITOR PROCESS)
CHARGING EFFECT) Group Art Unit: 2815
Serial No.: 10/074,881)
Filed: February 12, 2004)
Atty. Docket No.: N1085-90059)

REQUEST FOR CONTINUED
EXAMINATION UNDER 37 CFR §1.114

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8
I hereby certify that these papers are being sent by facsimile to (703) 872-9306 addressed to Examiner Paul E. Brock II,
at Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 24, 2004, in San Diego, CA.
By: Maria E. Provencio
Maria E. Provencio

Examiner Paul E. Brock, II
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. / Previously submitted

i. / Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. / Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

iii. / Other: _____.

b. / X / Enclosed

i. / X / Amendment/Reply

ii. / Affidavit(s)/Declaration(s)

iii. / Information Disclosure Statement (IDS)

iv. / X / Other: Petition for Extension of Time (3 months)

BEST AVAILABLE COPY

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10/074881

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS			
FOR		NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS		minus 20 =	*
INDEPENDENT CLAIMS		minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT			<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

8/24/04

RCE

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	** 32	=
Independent	* 6	Minus	*** 3	= 3

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM

SMALL ENTITY
TYPE

OR OTHER THAN
SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE	375.00	OR BASIC FEE	750.00
X\$ 9=		OR X\$18=	
X\$13=		OR X\$26=	
+140=		+280=	
TOTAL		OR TOTAL	

SMALL ENTITY OR OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X\$13=		X\$26=	258
+140=		+280=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM

RATE	ADDITIONAL FEE
X\$ 9=	
X\$13=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X\$26=	
+280=	
TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM

RATE	ADDITIONAL FEE
X\$ 9=	
X\$13=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X\$26=	
+280=	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.